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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/723,265	11/27/2000	William R. Rohrbach	ROHRBACH 8-13	4313

27964 7590 07/26/2004

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EXAMINER
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APPIAH, CHARLES NANA

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 07/26/2004

15

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/723,265

Applicant(s)

ROHRBACH ET AL.

Examiner

Charles Appiah

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/24/04 has been entered.

### ***Claim Rejections - 35 USC § 103***

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1, 3-8, 10-15 and 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lebowitz (5,454,024)** in view of **LeBlanc (5,596,625)**.

Regarding claims 1, 8 and 15 Lebowitz discloses an alarm system, a method of operating an alarm system and a voice network comprising: a local transceiver (31), that response to a received stimulus (sensor circuitry), establishes a wireless link to a wireless central monitoring station (33-40) in the wireless voice network (32), and a local controller (16), coupled to the transceiver for bi-directional communication therewith (see col. 8, line 50 to col. 9, line 35), that receives commands from the wireless central monitoring station via the wireless link (see col. 5, line 41 to col. 6, line 19).). Lebowitz fails to explicitly teach that the established wireless link between the local transceiver and the wireless central monitoring station uses diminished bandwidth

which is insufficient to provide commercially-acceptable quality of service standards for voice communication.

LeBlanc discloses a method for routing emergency calls from a mobile emergency user to a PSAP when all interface channels of a corresponding base station are busy (see abstract, col. 1, line 63 to col. 2, line 6). According to LeBlanc, in an emergency situation, during a busy channel condition an attempt is made to provide automatic link transfers or handover/handoff in order to open up an interface channel for a currently blocked E9-11 call and if one or more automatic link transfers/handoffs/handovers could not be performed, a non-voice path Emergency Access Call (EAC) may be generated by the PSAP including the location of the emergency mobile user (see col. 2, lines 37-54, col. 19, line 56-61, Fig. 23 and col. 20, lines 17-50), with non-voice path access call broadly meeting transmission over diminished bandwidth which is insufficient to provide commercially-acceptable quality of service standards for voice communication.

It would therefore have been obvious to one of ordinary skill in the art to combine the teaching of LeBlanc of transmitting emergency signals over a non-voice path with the system of Lebowitz in order to ensure the overriding of other transmissions without undue interference over the available voice channels for alarm data transmissions.

Regarding claims 3, 4, 10, 11, 17 and 18, Lebowitz shows wherein the stimulus is an alarm event communicated from the local controller to the local

transceiver and wherein the local event is selected from the group consisting of a user-triggered alarm event an intruder-triggered event (see col. 8, line 50 to col. 9, line 35).

Regarding claims 5, 12, and 19, Lebowitz further teaches wherein the stimulus is a command communicated from the wireless central station to the local transceiver (see col. 5, line 41 to col. 6, line 19).

Regarding claim 6, 13, and 20, Lebowitz further shows wherein the central monitoring station establishes the wireless link exclusively with the local transceiver (see col. 5, lines 41-52).

Regarding claim 7, 14 and 21, the combination of Lebowitz and LeBlanc shows wherein the wireless central monitoring station broadcasts the command to a plurality of transceivers including the local transmitter (see Fig. 1, col. 6, lines 1-7).

4. Claims 2, 9 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lebowitz and LeBlanc** as applied to claims 1, 8 and 15 above, and further in view of **Fish (5,422,626)**.

Regarding claims 2, 9 and 16, the combination of Lebowitz and LeBlanc fail to explicitly teach wherein the local transceiver and the wireless central monitoring station exchange data in bursts.

Fish discloses a system for monitoring a location in which the monitored station uses burst signals having different repetition rates to signal a detected alarm condition which leads to power savings, reduces the possibility of false alarms and improve network performance (see col. 1, line 24 to col. 2, line 6).

It would therefore have been obvious to one of ordinary skill in the art to provide the burst signal transmission and reception system of Fish to the system of Lebowitz as modified by LeBlanc in order to provide the advantages of power saving, increased reliability and the substantial reduction of false alarms as taught by Fish.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kauffman (3,696,368) discloses a radio frequency burglar alarm system.

***Response to Arguments***

6. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Appiah whose telephone number is 703 305-4772. The examiner can normally be reached on M-F 7:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 703 305-4379. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2686

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CA  
July 21, 2004

  
**CHARLES APPIAH**  
**PRIMARY EXAMINER**